

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 02 MAY 2005

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/T2004/000598

International filing date (day/month/year)

29.10.2004

Priority date (day/month/year)

31.10.2003

International Patent Classification (IPC) or both national classification and IPC

B60C1/00, C08L9/00, C08K7/00, C08K3/34

Applicant

PIRELLI PNEUMATICI S.P.A.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000598

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000598

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-71
Inventive step (IS)	Yes: Claims	
	No: Claims	1-71
Industrial applicability (IA)	Yes: Claims	1-71
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IT2004/000598

- D1: WO 02/10269 A (SOCIETE DE TECHNOLOGIE MICHELIN; MICHELIN RECHERCHE ET TECHNIQUE S.A.) 7 February 2002 (2002-02-07)
- D2: EP-A-1 074 582 (THE GOODYEAR TIRE & RUBBER COMPANY) 7 February 2001 (2001-02-07)
- D3: US 2003/191224 A1 (MARUYAMA TSUKASA ET AL) 9 October 2003 (2003-10-09)
- D4: EP-A-1 273 616 (THE GOODYEAR TIRE & RUBBER COMPANY) 8 January 2003 (2003-01-08)
- D5: EP-A-1 193 085 (THE GOODYEAR TIRE & RUBBER COMPANY) 3 April 2002 (2002-04-03)
- D6: US 2002/095008 A1 (HEINRICH GERT ET AL) 18 July 2002 (2002-07-18)
- D7: EP-A-0 265 070 (UBE INDUSTRIES, LTD) 27 April 1988 (1988-04-27)

- 1). The present application does not satisfy the requirements set forth in Article 33(2) PCT because the subject-matter of the claims is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

The subject-matter of the present claims 1 to 71 is already known from WO-A-0210269 (D1) as cited in the International Search Report (cf. loc. cit.).

- 2). The present application does not satisfy the requirements set forth in Article 33(3) PCT because the subject-matter of the claims is not based on an inventive step in respect of prior art as defined in the regulations (Rule 65(1) and 65(2) PCT).

The subject-matter of the present claims 1 to 71 is obvious for a skilled person from the combination of the teachings of EP-A-1074582 (D2) with each of the documents US2003/191224 (D3), EP-A-1273616 (D4), EP-A-1193085 (D5) or US2002/095008 (D6) (cf. loc. cit.).

The subject-matter of the present claims 42-49 is obvious for a skilled person from the combination of the teachings of D2 with the teachings of EP-A-0265070 (D7).